



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

May 25, 2024

BY ECF AND EMAIL

The Honorable John P. Cronan
United States District Court Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Defendant is ordered to advise the Court by the end of the day on Sunday, May 26, 2024, whether he objects to the facts asserted in the Government's instant submission, such that an evidentiary hearing is necessary. The Court is considering a sentence above the Guidelines range set forth in the parties' plea agreement.

SO ORDERED.
May 25, 2024
New York, New York

JOHN P. CRONAN
United States District Court

Re: *United States v. Surinder Singh Cheema a/k/a "Tana," S1 22 Cr. 618 (JPC)*

Dear Judge Cronan:

The Government respectfully submits this supplemental sentencing letter in advance of the May 28, 2024 sentencing of the defendant Surinder Singh Cheema, a/k/a "Tana," on his conviction for conspiracy to distribute and possess with intent to distribute narcotics. For the reasons set forth below and in the Government's prior submission, the Government now believes, that, in light of the defendant's role in collecting narcotics debts and directing a conspiracy that involved *multiple* shootings and threats of kidnapping, even while detained at the Metropolitan Detention Center ("MDC"), a sentence *above* the Stipulated Guidelines Range of 135 to 168 months' imprisonment calculated under the U.S. Sentencing Guidelines ("U.S.S.G." or "Guidelines"), of at least 25 years' imprisonment, would be sufficient but not greater than necessary to achieve the purposes of sentencing.

I. The 2024 Toronto Drug Debt Shootings

Based on an investigation conducted by the Peel Regional Police of Ontario, Canada, the Government has learned the defendant, while in the MDC, was involved in an attempt to collect drug debts for seized narcotics from co-conspirators in Canada, which included the defendant directing multiple shootings, threats, kidnapping, and other violence against people he believed owed him and his co-conspirators drug debts. This evidence is based primarily on messages recovered from the cellphone of Dupinderdeep Singh Cheema a/k/a "King," that were provided to U.S. law enforcement by Peel Regional Police after Dupinderdeep's arrest on or about March 27, 2024, as well as information provided by Peel Regional Police to U.S. law enforcement.¹

¹ The Government has requested that, in addition to the King phone extractions, which the Government has provided to counsel for Cheema and Habib, Canadian law enforcement provide additional evidence supporting their charges against King. The Government has received certain law enforcement reports, which it has provided to the defense. The Government will produce additional materials if and when it comes into possession of them. If the defendant intends to object

Dupinderdeep (“King”) was charged by Canadian authorities with conspiracy to commit an indictable offense, extortion, and criminal harassment. King is also one of the defendant’s co-conspirators in the charged offense conduct in this case, as described in more detail *infra* § II.

On October 29, 2023, Canadian law enforcement seized approximately 150 kilograms of cocaine at the Detroit/Windsor, Canada border from a truck. The load was contracted by AMG Global, a trucking company located in Mississauga, Canada outside of Toronto (near where Cheema is also from). AMG Global is owned by Victim-1.

On or about December 3, 2023, a former employee of AMG Global (“Employee-1”) was threatened for allegedly stealing the seized cocaine, and was told to pay \$2 million or return the cocaine. Victim-1 was present for these threats. After Employee-1 was released, he fled to India. On or about December 14, 2023, Victim-1 was attacked by a man armed with a handgun outside Victim-1’s home; Victim-1 fended him off and the man fled. On or about January 18, 2024, 11 gunshots were fired from a driving vehicle at Employee-1’s family residence in Brampton, Canada.

On or about February 15, 2024, eight gunshots were fired at the office building of AMG global. Victim-1 spoke to police and reported that Employee-1 was one of AMG Global’s former employees, was a drug dealer who lost 75 kilograms of cocaine, and that when Employee-1 fled to India, Victim-1 started receiving demands to either return the drugs or pay \$1.5 million.

On or about February 17, 2024, King and a person saved on his phone named “Jordan,” discussed the shooting at AMG Global using the encrypted messaging application Signal. Jordan said, “Bro nothing happens at amg office. I sent guys to go look they said everything looks normal. No shooting.”² On or about February 21, Jordan and King exchanged voice notes. Jordan said, in sum and substance (translated from Punjabi):

They didn’t get a chance today to do it. They are going to go again in the morning and sit there. When they get an opportunity, safely they are going to get it done. We are going to finish it off with wife tomorrow. *When you have time explain the plan to Tana.* Maybe send him a voice note. You explain it better than me. So this way he knows what the plan is also. Tomorrow if they get a good chance/opportunity, we are going to do the job.

As the Court is aware, “Tana” is one of the defendant’s primary nicknames. (PSR ¶ 13).

On or about February 22, 2024, Jordan sent King a new Signal message using the name “mysterio” (with the first message “Jordan new”). On or about February 23, 2024, Jordan messaged King “Bro it’s done.” Jordan also sent a King note that said, in sum and substance, “the

to any of the factual statements in this supplemental submission, such that a *Fatico* hearing is required, the Government will request an adjournment of the sentencing sufficient to obtain all relevant materials from the Canadian authorities.

² Left out of this narrative are many Signal phone calls between the participants, as well as the fact that certain participants set “disappearing messages” in certain threads to auto-delete Signal text messages.

job is done, give him a call.” That same day, Victim-1’s wife (“Victim-2”) was approached by a masked man who brandished a firearm and told her, in sum and substance, that Victim-1 had to pay what he owed or the assailant would kill their family. The assailant demanded that Victim-2 tell him where Victim-1 was.

On or about February 24, 2024, King, Jordan, and a Signal user named “smooth” started a group chat during which smooth said “tell slid to do it because we paid him”; King adds, “Tell him to do tonite. Fuck this guy.” Jordan responds, “Slid going to get it done tonight.”

Later that evening, Jordan sent King by Signal a screenshot of a Signal profile for a phone number used by the defendant in the MDC. The contact name is “Ares” with a phone number ending in -3032. With the screenshot, Jordan said, “Tana new number.”³

On or about February 25, 2024, at approximately 2:06 a.m., a masked man approached Victim-1 and -2’s residence in Brampton, repeatedly attempted to kick the front door in, and, when unsuccessful, fired approximately five shots at the residence before fleeing.

On or about February 29, 2024, at approximately 2:22 a.m., a masked man who resembled the person from the February 25 shooting and used what appeared to be the same vehicle approached a residence in Brampton and fired multiple rounds into the residence and vehicles. Later that morning Jordan sent King a first-person video of a man walking up to a house at night and firing nine shots at a residence that appears to be of the same shooting. Also on February 29, at approximately 6:51 p.m., Victim-2 received a phone call notifying her that they knew she and her family had been away from their house the past few days⁴ and had since returned. The caller demanded that Victim-2 pay \$2 million, tell him the location of Employee-1, or else her family would be harmed. Later that evening, also on February 29, Jordan messaged King, “Thank you my brother for all your help :two heart emojis:”; King responded, “We r family bro.”

On or about March 3, 2024, smooth messaged King, “Bro what’s going on. U said he’ll drop payment why we waiting.” King responded, “Who told u bro ? He is dropping payment.” King adds, “They r ready to talk. Only her wife. We r threatening her. And she is scared and begging me. But her husband is not.” Smooth responded, “I told you this” and referenced “Ghost” telling Smooth what was going on.⁵ King responded, “She ask me give me 2-3 days” and that the wife wanted to talk to King. Smooth responded, “That’s crazy. I told u these guys not learn until they get dropped. I did everything u guys said.” King responded, “Just wait bro let me handle bro I get it. I told u. I will get it.” King adds, “We have to hit his leg.” Smooth responded, “We have

³ On or about February 8, 2024, Jordan had previously sent to King by Signal a message with a phone number ending in -5002 with the note “tana new number,” i.e., a previous number used by the defendant in the MDC.

⁴ Magnetic tracking devices were later recovered during the execution of search warrants and arrests on other co-conspirators.

⁵ As discussed in more detail in the Government’s response to co-defendant Michael Habib’s objections to the PSR, “Ghost” is another co-conspirator of the defendant and Habib in narcotics trafficking, including in the charged offense conduct.

to hit his family. What about his family the rich ones.”⁶ King responded, “They don’t care. Give me 2 more days bro. U will get ur money bro.”

On March 6, 2024, the defendant, using a cellphone with the Signal name “Warpath,”⁷ messaged King, “Hy bro call me.” After a series of Signal calls, later on March 6, the defendant, using the Signal name Ares, messaged King, **“Okay bro please. Make some noise. Amg house burn it. And baba.”**

Subsequently, on or about March 6 and 7, King and Jordan discussed by Signal the location of Employee-1 in India. King asked, in Punjabi, “What is Baba’s name?” Jordan responded, “[Employee-1].” Also, on or about March 7, Smooth followed up with King and asked, “Bro how can we make money. For work.” “We need amg to pay.” King did not respond as Smooth asked for more updates through March 12.

On or about March 16, with no updates from King, the defendant became upset that no action had been taken against AMG or against Employee-1 in India, directed King to kidnap Victim-2, mused about “killing everybody involved,” and made explicit references to being stuck in a “cage,” i.e., the MDC. Again using the Signal name “Ares,” the defendant messaged King:

Hi bro
No info on this amg thing bro
?
Bro come on we said this last week
And bro nothing in India?
Bro scoop the wife
Or do something
Idk bro
Doesn't seem like it's going to get done
I'm just gonna end up killing everybody involved
Please bro it's really hurting my pride and ego
And I'm in a cage
Shit hurts I'm really depeding on u Bro

On or about March 17, at approximately 3:16 a.m., two suspects fired 11 gunshots towards Victim-1 and -2’s residence, the house next door, and a vehicle parked in front of the neighbor’s house, which appeared similar in appearance to a vehicle Victim-1 had recently been seen driving. Later that day, Jordan messaged King, “It’s done bro just waiting for the video,” and then subsequently sent King a video of what appears to be the firearms damage done the night before to the two residences and vehicles.

⁶ According to Canadian law enforcement, Victim-1 is related to the wealthy owner of a Canadian transportation company.

⁷ Attribution is discussed further *infra*.

On or about March 18, the defendant, again using the “Ares” name, directed King to shift away from drive-by shootings instead kidnap Victim-1 and Employee-1; the defendant also reminded King to obstruct justice by deleting his messages:

He bro how r u
 Call me when u have a moment bro
 Cus i don't see this getting resolved bro
 we need to think this threw
 we don't want cops getting involved
 and he ratting on us
 make sure mine and your name doesnt get involved at all what so ever
 and even ghost cus he is a link to us
 we need to pretend like we are the customers
and always keep deleting ur msgs and screenshots and pics⁸
 and throwing away the phone u use to call them
 bro we need to come up with a proper idea
we have to scoop him
 there's no other way
shooting him and leaving him and calling him to drop money not gonna happen
we need to scoop him and baba
 we need to do proper homework on him study the trackers
 and get a spot
 T will get a spot
 and Empire is back Monday
 I talked to him
we need to scoop him and bring him to a spot
 trust me no other way
 please call me tom bro im very stressed

On or about March 22, 2024, King called Victim-2 and demanded that she pay \$2 million or have Victim-1 return “their product,” i.e., the lost narcotics. King added, “if your husband doesn't take us seriously we will take further action and continue to shoot.”

Approximately 5 days later, on or about March 23, 2024, the defendant, using the Ares name, messaged King:

but bro just tell me straight up next time that u dont wanna do it
 i could have asked someone else
 i just feel like im bothering u bro and u were my last straw after this **im just gonna kill his whole family**
 idc anymore
 im getting fed up
 i was just saying cus those guys are ready to do the job

⁸ Many of the messages recovered from King's phone do appear to have been in fact deleted from Signal, but were recoverable from the “Device Notifications” history of the device itself.

but i have someone else too they owe me money they will do for frere

Later that day, the defendant added King to a Signal group chat along with a user named “moneymitch,” and told “Mitch” to stay in touch with King, one of his “brothers,” who would be “sending you jobs.” Immediately after that introduction, the defendant messaged King directly about obtaining cryptocurrency to pay Mitch to shoot up a house:

We need trc
We pay him 4k
To pepper up house
Bro got offered trc

Mitch then responded that he was on “ready for work” and on “standby” for “next week.”

On March 24, Jordan messaged King the address for Victim-1 and Victim-2’s residence. On March 27, Jordan messaged King, “Bro tana said msg him before doing anything.” Later on March 27, King was arrested by Canadian police in possession of firearms, narcotics, and the cellphone containing the above evidence.

According to Canadian law enforcement, even after the arrest of King and other co-conspirators, while having curbed the escalation of violence, further incidents have targeted menacing Victim-1, including as recently as May 6, 2024.

II. King’s Role in the Charged Conspiracy

The above-described effort to collect on drug debts is not a separate conspiracy from the charged conduct. It is part of the same broad-scale narcotics trafficking operation that led to law enforcement seizing 400 kilograms of cocaine from the defendant and his co-conspirators in March 2022. King, while not currently a defendant in this case, was one of those co-conspirators. As the Court knows, the 400-kilo seizure was coordinated through a Signal group chat. Dupinderdeep Singh Cheema participated in those group chats using the username “King,” and coordinated the transportation of the (sham) cocaine from the New Jersey warehouse, destined for Canada.

Law enforcement identified King as Dupinderdeep Singh Cheema through multiple avenues. First, Signal messages recovered from one of the cellphones of the defendant’s co-defendant, Bhupinder Virk, include messages with the same number as King from the 400 kilo group chat, saved as “King Canada.” In those messages, “King” gives Virk his business name as “Linkup Transport” at “1 Gateway Blvd” in “Brampton” Canada. King sends information for his “driver,” named Karan Sharma.

The driver of the truck carrying 400 kilograms of sham cocaine leaving the New Jersey warehouse on March 21, 2022 was Karan Sharma. That day, King said he was in touch with the driver and they took his phone. After Sharma was arrested by law enforcement on 3/21, Sharma called Dupinderdeep Singh Cheema from the police station. Sharma also provided documentation showing he working for Linkup Transport, owned by King. And Sharma too had a contact saved

in his phone Snapchat application as “King,” which used the same Snapchat handle that Dupinderdeep Singh Cheema provided to CBP officials during a prior border crossing.

Finally, messages on a second Virk phone included messages from “King,” using a different number, where King told Virk he was going to “catch a flight” on the same day CBP records show Dupinderdeep Singh Cheema traveled from Canada to the U.S. In short, King is Dupinderdeep Singh Cheema, and he is another key and willing participant in the Wolfpack narcotics trafficking conspiracy charged in this case—a conspiracy that, as the Court knows from the Government’s prior sentencing submission and PSR with respect to this defendant, continued in earnest and on massive scale even after the March 2022 seizures.

III. Attribution to the Defendant

As described above, the defendant communicated with King through multiple cellphones he appears to have obtained at the MDC. The “Ares” number associated with the messages above was provided by “Jordan” with the defendant’s nickname, i.e., it was “Tana”’s new number. This was the second time in a month Jordan had provided King with a new “Tana” number.

On the King phone, the defendant used the “Warpath” Signal name to provide “my new number” ending in -4600 on March 26, the day before King’s arrest. King starts a Signal chat with the -4600 number that day, which originally uses the “Ares” profile name before changing to “Rocksteady.”

On March 27, the day of King’s arrest, the -4600 Rocksteady account messaged King the following:

+44 7700 107714 Gato new
+44 7700 106994 tana new add this one⁹
Tana new 4693591865

In other words, the defendant provided additional new numbers he intended to use, as well a phone number for his co-defendant and Unit mate in the MDC, Michael Habib, i.e., “Gato.” This was not the first time that King had received contact info for Habib in the MDC—on March 8, the defendant, using the Ares name, told King to “call G phone whenever,” that is, call Habib’s number. And, of course, the defendant referenced being “in a cage,” i.e., in jail, while using the Ares name.

There is additional evidence that demonstrates that Ares/Rocksteady/Warpath was Tana, the defendant. First, there is the nature of the familiar relationship between this person and King and, as discussed further *infra*, co-conspirator. Second, the Signal user references other co-conspirators in the defendant’s case, such as “Ghost.”

⁹ +44 is the country code for the United Kingdom. Many of the numbers used appear to be UK numbers that were registered solely for creating Signal and other app accounts.

Third, during a border search of the defendant's wife that occurred on May 21, 2024, Customs and Border Protection ("CBP"), obtained additional evidence that the defendant is using contraband cellphones in the MDC. CBP searched the defendant's wife cellphone and iPad for communications with the defendant. The cellphone was clean. The iPad, however, contained a few messages that did not appear on the cellphone. One was from December 2023 from a person saved in the iPad as "Savage Mdc." The message passed along holiday greetings to "Sunny," another nickname for the defendant. The defendant's wife responded, "Sunny says Merry Christmas. I hope you're doing well, shits not the same without you." Subsequently, in January and February 2024, there are messages from a different number reaching out on behalf of "Savage" and asking for a number to reach Sunny. The defendant's wife responded that the defendant said that if "Savage" could "get access to a phone over there and get Snapchat," the defendant could add Savage on Snapchat. In other words, the defendant used his wife as a go-between to communicate with other MDC inmates via contraband phones.

The defendant's and Habib's cells at MDC have been searched multiple times by a special unit within the Bureau of Prisons. Those searches have not contraband recovered phones. The unit has reported that the defendant and Habib appear to be aware of incoming searches, as there is very little in their cells at the time of the searches. And the defendant instructed his co-conspirators, such as King, to be careful by deleting their messages and chats. But the defendant did not count on Canadian police arresting King in possession of a phone from which messages with the defendant could be extracted.

IV. Revised Sentencing Recommendation

The Government stands by the Guidelines calculation in its plea agreement. But the Government notes that the above-described facts justify several Guidelines sentencing enhancements. First, because a dangerous weapon was possessed in connection with the narcotics trafficking conspiracy, a two-level enhancement could be added pursuant to U.S.S.G. § 2B1.1(b)(1). Second, for directing the use of violence, an additional two-level enhancement could be added pursuant to U.S.S.G. § 2B1.1(b)(2). Third, given the use of violence, the defendant may no longer qualify for the two-level reduction otherwise available under U.S.S.G. § 4C1.1. Fourth, a two-level enhancement for obstruction of justice could be added pursuant to U.S.S.G. § 3C1.1. Fifth, given the obstruction, the defendant may no longer qualify for acceptance of responsibility points under U.S.S.G. § 3E1.1. *See* Application Note 4. Applying those enhancements would result in a total offense level of 44, with a resulting Guidelines range of life imprisonment.

Regardless of the Guidelines calculation the Court adopts, the defendant's conduct, *while detained at the MDC*, is staggering. The defendant deserves a significantly above-Guidelines sentence. With his sentencing just months away, the defendant became been involved in an ongoing effort to collect on drug debts that resulted in multiple shootings incidents in the Toronto area over the period of just a few months, plus directing attempts to threaten, kidnap, and otherwise use violence to collect on drug debts. Moreover, that is just the conduct the Government can prove based primarily on the recovered messages from King's phone, notwithstanding the defendant's direction that King destroy the evidence of their crimes on a regular basis.

The defendant engaged in this additional conduct after pleading guilty to a lesser-included drug trafficking conspiracy that carries a mandatory-minimum 5-year sentence and a Guidelines sentence of over a decade already, and *before* receiving a sentence from this Court. He has clearly learned nothing and has no remorse for his conduct. The defendant is an unrepentant large-scale narcotics trafficker who will—even while in federal custody—use violence, obstruction, and fear to further his criminal enterprise. Whether viewed under just punishment, specific or general deterrence, incapacitation, or any of the other relevant factors under Section 3553(a), the defendant warrants a sentence meaningfully above the Stipulated Guidelines Range of 135 to 168 months’ imprisonment as just punishment for his conduct. The Government recommends a sentence of at least 25 years’ imprisonment, and designation to a BOP facility with a Communications Management Unit

Respectfully submitted,

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